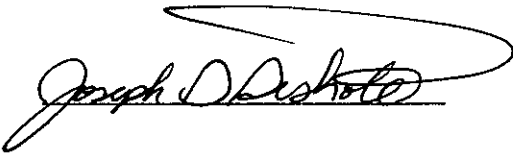


I certify this to be a true and correct  
copy of the indicated document as  
referred or transmitted to committee.

Chief Clerk of the House

**FILED** JAN 12 2007

By:



H.B. No. 581

A BILL TO BE ENTITLED

AN ACT

relating to exempting from certain employment restrictions the  
employment of certain children engaged in the direct sale of  
newspapers to the general public.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.003(a), Labor Code, is amended to  
read as follows:

(a) This chapter does not apply to employment of a child:

(1) employed:

(A) in a nonhazardous occupation;

(B) under the direct supervision of the child's  
parent or an adult having custody of the child; and

(C) in a business or enterprise owned or operated  
by the parent or custodian;

(2) 11 years or older engaged in delivery of  
newspapers to the consumer;

(3) participating in a school-supervised and  
school-administered work-study program approved by the commission;

(4) employed in agriculture during a period when the  
child is not legally required to be attending school;

(5) employed through a rehabilitation program  
supervised by a county judge; ~~or~~

(6) engaged in nonhazardous casual employment that  
will not endanger the safety, health, or well-being of the child and

1 to which the parent or adult having custody of the child has  
2 consented; or

3 (7) 14 years or older engaged in the direct sale of  
4 newspapers to the general public.

5 SECTION 2. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2007.

# HOUSE COMMITTEE REPORT

07MAR21 PH 3:39  
HOUSE OF REPRESENTATIVES

1<sup>st</sup> Printing

By: Deshotel

H.B. No. 581

## A BILL TO BE ENTITLED

### AN ACT

relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.003(a), Labor Code, is amended to read as follows:

(a) This chapter does not apply to employment of a child:

(1) employed:

(A) in a nonhazardous occupation;

(B) under the direct supervision of the child's parent or an adult having custody of the child; and

(C) in a business or enterprise owned or operated by the parent or custodian;

(2) 11 years or older engaged in delivery of newspapers to the consumer;

(3) participating in a school-supervised and school-administered work-study program approved by the commission;

(4) employed in agriculture during a period when the child is not legally required to be attending school;

(5) employed through a rehabilitation program supervised by a county judge; ~~or~~

(6) engaged in nonhazardous casual employment that will not endanger the safety, health, or well-being of the child and

1 to which the parent or adult having custody of the child has  
2 consented; or

3 (7) 14 years or older engaged in the direct sale of  
4 newspapers to the general public.

5 SECTION 2. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2007.

# COMMITTEE REPORT

The Honorable Tom Craddick  
Speaker of the House of Representatives

3/15/2007  
(date)

Sir:

We, your **COMMITTEE ON ECONOMIC DEVELOPMENT**

to whom was referred HB 581 have had the same under consideration and beg to report back with the recommendation that it

- ☒ do pass, without amendment.  
☐ do pass, with amendment(s).  
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.  
☒ yes ☐ no A fiscal note was requested.  
☐ yes ☒ no A criminal justice policy impact statement was requested.  
☐ yes ☒ no An equalized educational funding impact statement was requested.  
☐ yes ☒ no An actuarial analysis was requested.  
☐ yes ☒ no A water development policy impact statement was requested.  
☐ yes ☒ no A tax equity note was requested.  
☒ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor \_\_\_\_\_

Joint Sponsors: \_\_\_\_\_

Co-Sponsors: \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Deshotel, Chair	<input checked="" type="checkbox"/>			
Straus, Vice-chair	<input checked="" type="checkbox"/>			
Kolkhorst, CBO				<input checked="" type="checkbox"/>
Dunnam				<input checked="" type="checkbox"/>
Morrison				<input checked="" type="checkbox"/>
Ortiz	<input checked="" type="checkbox"/>			
Veasey	<input checked="" type="checkbox"/>			

Total      4      aye  
                 0      nay  
                 0      present, not voting  
                 3      absent

CHAIR

*Joseph D. Deshotel*

## **BILL ANALYSIS**

H.B. 581  
By: Deshotel  
Economic Development  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

H.B. 581 seeks to correct a problem that arose with the passage in the 79th Legislature of H.B. 2930. In its interpretation, the Texas Workforce Commission applied the law to those 18 years old and over. This inadvertently raised the age of those allowed to sell a newspaper directly to the public, eliminating those teenage workers under 18 years of age. An unforeseen economic consequence was that newspapers in Texas have had a hard time filling these positions. Most 18-year-olds, of course, have other employment options.

While still protecting small children, teenagers that are at least 14 should be able to sell newspapers directly to the public, such as in front of a grocery store. H.B. 581 would allow teenagers aged 14 or older to sell newspapers directly to the public.

### **RULEMAKING AUTHORITY**

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Section 51.003(a), Labor Code, to provide that this chapter not apply to employment of an individual 14 years of age or older engaged in the direct sale of newspapers to the general public.

SECTION 2. Provides the effective date for this Act.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

## SUMMARY OF COMMITTEE ACTION

HB 581

March 07, 2007 10:30 AM or upon final adjourn./recess

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Considered in public hearing

Testimony taken in committee (See attached witness list.)

Left pending in committee

March 15, 2007 during reading and referral

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Considered in formal meeting

Recommended to be sent to Local & Consent

Reported favorably without amendment(s)

WITNESS LIST

HB 581  
HOUSE COMMITTEE REPORT  
Economic Development Committee

March 7, 2007 - 10:30 AM or upon final adjourn./recess

For: Whalen, Ken (TX Daily Newspaper Association, TX Press Association)



**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 5, 2007**

**TO:** Honorable Joe Deshotel, Chair, House Committee on Economic Development

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB581** by Deshotel (Relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
---

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 320 Texas Workforce Commission

**LBB Staff:** JOB, JRO, MW, NV

# HOUSE ENGROSSMENT

By: Deshotel

H.B. No. 581

## A BILL TO BE ENTITLED

### AN ACT

relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.003(a), Labor Code, is amended to read as follows:

(a) This chapter does not apply to employment of a child:

(1) employed:

(A) in a nonhazardous occupation;

(B) under the direct supervision of the child's parent or an adult having custody of the child; and

(C) in a business or enterprise owned or operated by the parent or custodian;

(2) 11 years or older engaged in delivery of newspapers to the consumer;

(3) participating in a school-supervised and school-administered work-study program approved by the commission;

(4) employed in agriculture during a period when the child is not legally required to be attending school;

(5) employed through a rehabilitation program supervised by a county judge; ~~or~~

(6) engaged in nonhazardous casual employment that will not endanger the safety, health, or well-being of the child and

1 to which the parent or adult having custody of the child has  
2 consented; or  
3 (7) 14 years or older engaged in the direct sale of  
4 newspapers to the general public.

5 SECTION 2. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2007.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 5, 2007**

**TO:** Honorable Joe Deshotel, Chair, House Committee on Economic Development

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB581** by Deshotel (Relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
---

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 320 Texas Workforce Commission

**LBB Staff:** JOB, JRO, MW, NV

1-1 By: Deshotel (Senate Sponsor - Van de Putte) H.B. No. 581  
1-2 (In the Senate - Received from the House April 10, 2007;  
1-3 April 11, 2007, read first time and referred to Committee on  
1-4 Business and Commerce; May 22, 2007, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 5,  
1-6 Nays 0; May 22, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 581 By: Estes

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to exempting from certain employment restrictions the  
1-11 employment of certain children engaged in the direct sale of  
1-12 newspapers to the general public.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 51.003(a), Labor Code, is amended to  
1-15 read as follows:

1-16 (a) This chapter does not apply to employment of a child:

1-17 (1) employed:

1-18 (A) in a nonhazardous occupation;

1-19 (B) under the direct supervision of the child's  
1-20 parent or an adult having custody of the child; and

1-21 (C) in a business or enterprise owned or operated  
1-22 by the parent or custodian;

1-23 (2) 11 years or older engaged in delivery of  
1-24 newspapers to the consumer;

1-25 (3) participating in a school-supervised and  
1-26 school-administered work-study program approved by the commission;

1-27 (4) employed in agriculture during a period when the  
1-28 child is not legally required to be attending school;

1-29 (5) employed through a rehabilitation program  
1-30 supervised by a county judge; ~~or~~

1-31 (6) engaged in nonhazardous casual employment that  
1-32 will not endanger the safety, health, or well-being of the child and  
1-33 to which the parent or adult having custody of the child has  
1-34 consented; or

1-35 (7) 16 years or older engaged in the direct sale of  
1-36 newspapers to the general public.

1-37 SECTION 2. This Act takes effect immediately if it receives  
1-38 a vote of two-thirds of all the members elected to each house, as  
1-39 provided by Section 39, Article III, Texas Constitution. If this  
1-40 Act does not receive the vote necessary for immediate effect, this  
1-41 Act takes effect September 1, 2007.

1-42 \* \* \* \* \*

FAVORABLY AS SUBSTITUTED  
SENATE COMMITTEE REPORT ON

SB SCR SJR SR HB HCR HJR 581  
By Deshotel/Van de Putte  
(Author/Senate Sponsor)  
5/22/07  
(date)

We, your Committee on BUSINESS AND COMMERCE, to which was referred the attached measure,  
have on 5/17/07, had the same under consideration and I am instructed to report it  
(date of hearing)  
back with the recommendation (s) that it:

☒ do pass as substituted, and be printed  
☒ the caption remained the same as original measure  
☐ the caption changed with adoption of the substitute

☐ do pass as substituted, and be ordered not printed

☒ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no

A revised fiscal note was requested. ☒ yes ☐ no

Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Troy Fraser, Chairman	<input checked="" type="checkbox"/>			
Senator Chris Harris, Vice-Chairman	<input checked="" type="checkbox"/>			
Senator Kip Averitt			<input checked="" type="checkbox"/>	
Senator Kevin Eltife	<input checked="" type="checkbox"/>			
Senator Craig Estes	<input checked="" type="checkbox"/>			
Senator Kyle Janek			<input checked="" type="checkbox"/>	
Senator Eddie Lucio	<input checked="" type="checkbox"/>			
Senator Leticia Van de Putte			<input checked="" type="checkbox"/>	
Senator Kirk Watson			<input checked="" type="checkbox"/>	
TOTAL VOTES	<u>5</u>		<u>4</u>	

COMMITTEE ACTION

☒ S260 Considered in public hearing  
☒ S270 Testimony taken

Yvonne Reagan  
COMMITTEE CLERK

By Farm  
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with TWO copies of the Committee Substitute  
Retain one copy of this form for Committee files

WITNESS LIST

HB 581

Senate Committee Report

Business & Commerce

May 17, 2007 - 9:00 AM

FOR:

Whalen, Ken (Texas Daily Newspaper Association/Texas Press Association), Austin, TX

Registering, but not testifying:

On:

Ramos, Jerry (Texas Workforce Commission), Austin, TX

## **BILL ANALYSIS**

Senate Research Center  
80R21616 E

C.S.H.B. 581  
By: Deshotel (Van de Putte)  
Business & Commerce  
5/18/2007  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

C.S.H.B. 581 authorizes teenagers 16 years of age or older to solicit and sell newspapers directly to the public.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 51.003(a), Labor Code, to provide that this chapter (Employment of Children) does not apply to employment of a child 16 years or older engaged in the direct sale of newspapers to the general public.

SECTION 2. Effective date: upon passage or September 1, 2007.



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 18, 2007**

**TO:** Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB581** by Deshotel (Relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public. ), **Committee Report 2nd House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
---

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 320 Texas Workforce Commission

**LBB Staff:** JOB, CL, JRO, MW, NV

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 19, 2007**

**TO:** Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB581** by Deshotel (Relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
---

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 320 Texas Workforce Commission

**LBB Staff:** JOB, CL, JRO, MW, NV

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 5, 2007**

**TO:** Honorable Joe Deshotel, Chair, House Committee on Economic Development

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB581** by Deshotel (Relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
---

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 320 Texas Workforce Commission

**LBB Staff:** JOB, JRO, MW, NV

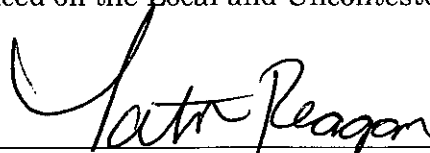
## REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR KIM BRIMER, CHAIRMAN  
SENATE COMMITTEE ON ADMINISTRATION

Notice is hereby given that CSHB 581, by Deshotel/Van de Putte,  
(Bill No.) (Author/Sponsor)

was heard by the Committee on Business and Commerce on 5/17  
2007,

and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.



(Clerk of the reporting committee)

**IMPORTANT: TWO COPIES OF THIS FORM MUST BE ATTACHED TO A COMMITTEE PRINTED VERSION OF THE BILL OR RESOLUTION AND SHOULD BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS AND RESOLUTIONS WILL BE ANNOUNCED ON A REGULAR BASIS.**

*NOB* **ADOPTED**  
MAY 23 2007

*W*  
*Latoy Spaw*  
Secretary of the Senate

By: Deshote/KanderPute

Substitute the following for H.B. No. 581:

By: *[Signature]*

H.B. No. 581  
C.S. H.B. No. 521

A BILL TO BE ENTITLED

AN ACT

relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.003(a), Labor Code, is amended to read as follows:

- (a) This chapter does not apply to employment of a child:
- (1) employed:
    - (A) in a nonhazardous occupation;
    - (B) under the direct supervision of the child's parent or an adult having custody of the child; and
    - (C) in a business or enterprise owned or operated by the parent or custodian;
  - (2) 11 years or older engaged in delivery of newspapers to the consumer;
  - (3) participating in a school-supervised and school-administered work-study program approved by the commission;
  - (4) employed in agriculture during a period when the child is not legally required to be attending school;
  - (5) employed through a rehabilitation program supervised by a county judge; [ex]
  - (6) engaged in nonhazardous casual employment that will not endanger the safety, health, or well-being of the child and

1 to which the parent or adult having custody of the child has  
2 consented; or

3 (7) 16 years or older engaged in the direct sale of  
4 newspapers to the general public.

5 SECTION 2. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2007.

# SENATE AMENDMENTS HOUSE OF REPRESENTATIVES

2<sup>nd</sup> Printing

By: Deshotel

H.B. No. 581

## A BILL TO BE ENTITLED

### AN ACT

relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.003(a), Labor Code, is amended to read as follows:

(a) This chapter does not apply to employment of a child:

(1) employed:

(A) in a nonhazardous occupation;

(B) under the direct supervision of the child's parent or an adult having custody of the child; and

(C) in a business or enterprise owned or operated by the parent or custodian;

(2) 11 years or older engaged in delivery of newspapers to the consumer;

(3) participating in a school-supervised and school-administered work-study program approved by the commission;

(4) employed in agriculture during a period when the child is not legally required to be attending school;

(5) employed through a rehabilitation program supervised by a county judge; [ex]

(6) engaged in nonhazardous casual employment that will not endanger the safety, health, or well-being of the child and

1 to which the parent or adult having custody of the child has  
2 consented; or  
3 (7) 14 years or older engaged in the direct sale of  
4 newspapers to the general public.

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6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2007.



# ADOPTED

MAY 23 2007

*Leta D. Brown*  
Secretary of the Senate

By: Deshotel/VandePutte

H.B. No. 581

Substitute the following for H.B. No. 521:

By: *Craig Estes*

C.S. A.B. No. 521

## A BILL TO BE ENTITLED

### AN ACT

relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.003(a), Labor Code, is amended to read as follows:

(a) This chapter does not apply to employment of a child:

(1) employed:

(A) in a nonhazardous occupation;

(B) under the direct supervision of the child's parent or an adult having custody of the child; and

(C) in a business or enterprise owned or operated by the parent or custodian;

(2) 11 years or older engaged in delivery of newspapers to the consumer;

(3) participating in a school-supervised and school-administered work-study program approved by the commission;

(4) employed in agriculture during a period when the child is not legally required to be attending school;

(5) employed through a rehabilitation program supervised by a county judge; ~~or~~

(6) engaged in nonhazardous casual employment that will not endanger the safety, health, or well-being of the child and

1 to which the parent or adult having custody of the child has  
2 consented; or

3 (7) 16 years or older engaged in the direct sale of  
4 newspapers to the general public.

5 SECTION 2. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2007.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 18, 2007**

**TO:** Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB581** by Deshotel (Relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public. ), **Committee Report 2nd House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
---

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 320 Texas Workforce Commission

**LBB Staff:** JOB, CL, JRO, MW, NV

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 19, 2007**

**TO:** Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB581** by Deshotel (Relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
---

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 320 Texas Workforce Commission

**LBB Staff:** JOB, CL, JRO, MW, NV

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 5, 2007**

**TO:** Honorable Joe Deshotel, Chair, House Committee on Economic Development

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE:** **HB581** by Deshotel (Relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.), **As Introduced**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 320 Texas Workforce Commission

**LBB Staff:** JOB, JRO, MW, NV

## ENROLLMENT

H.B. No. 581

### AN ACT

relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.003(a), Labor Code, is amended to read as follows:

(a) This chapter does not apply to employment of a child:

(1) employed:

(A) in a nonhazardous occupation;

(B) under the direct supervision of the child's parent or an adult having custody of the child; and

(C) in a business or enterprise owned or operated by the parent or custodian;

(2) 11 years or older engaged in delivery of newspapers to the consumer;

(3) participating in a school-supervised and school-administered work-study program approved by the commission;

(4) employed in agriculture during a period when the child is not legally required to be attending school;

(5) employed through a rehabilitation program supervised by a county judge; ~~[or]~~

(6) engaged in nonhazardous casual employment that will not endanger the safety, health, or well-being of the child and

1 to which the parent or adult having custody of the child has  
2 consented; or

3 (7) 16 years or older engaged in the direct sale of  
4 newspapers to the general public.

5 SECTION 2. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2007.

H.B. No. 581

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 581 was passed by the House on April 5, 2007, by the following vote: Yeas 137, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 581 on May 25, 2007, by the following vote: Yeas 134, Nays 0, 2 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 581 was passed by the Senate, with amendments, on May 23, 2007, by the following vote: Yeas 30, Nays 1.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor



\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 581<sup>✓</sup> was passed by the House on  
(1)

April 5<sup>✓</sup>, 2007, by the following vote:  
(2)

Yeas 137<sup>✓</sup>, Nays 0, 2 present, not voting<sup>✓</sup>;  
(3) (4)

and that the House concurred in Senate amendments to H.B. No. 581<sup>✓</sup>  
on May 25<sup>✓</sup>, 2007, by the following vote:  
(5)

Yeas 134<sup>✓</sup>, Nays 0, 2 present, not voting<sup>✓</sup>.  
(6) (7)

\_\_\_\_\_  
Chief Clerk of the House

\*\*\*\* Preparation: CT31

I certify that H.B. No. 581<sup>✓</sup> was passed by the Senate, with  
(1)

amendments, on May 23<sup>✓</sup>, 2007, by the  
(2)

following vote: Yeas 30<sup>✓</sup>, Nays 1<sup>✓</sup>.  
(3) (4)

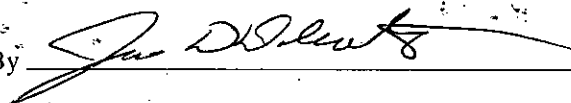
\_\_\_\_\_  
Secretary of the Senate

APPROVED:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

\*\*\*\* Preparation: CT32

A BILL TO BE ENTITLED  
AN ACT

relating to exempting from certain employment restrictions the employment of certain children engaged in the direct sale of newspapers to the general public.

JAN 12 2007

Filed with the Chief Clerk

FEB 06 2007

Read first time and referred to Committee on Economic Development




MAR 15 2007

Reported favorably 

MAR 22 2007

Sent to Committee on   
(Local & Consent Calendars)

APR 05 2007

Read second time (committee substituted); passed to third reading (amended) by a (non-record vote)  
(record vote of  yeas,  nays,  present, not voting)Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)  
by a vote of        yeas,        nays,        present, not voting

APR 05 2007

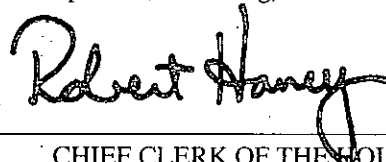
Read third time (amended); finally passed (amended) by a (unanimous consent)  
(record vote of 137 yeas, 0 nays, 2 present, not voting)

APR -5 2007

Engrossed

APR 10 2007

Sent to Senate



CHIEF CLERK OF THE HOUSE

## OTHER HOUSE ACTION:

APR 10 2007

Received from the House

APR 11 2007

Read and referred to Committee on BUSINESS AND COMMERCEReported favorably       

MAY 22 2007

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

MAY 23 2007

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)  
(       yeas,        nays)

MAY 23 2007

Read second time,       , and passed to third reading by (unanimous consent)  
(a viva voce vote)  
(       yeas,        nays)

MAY 23 2007

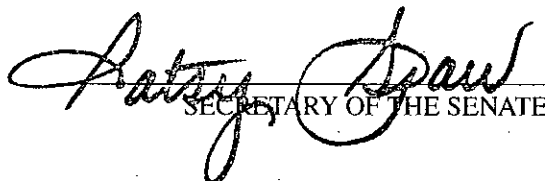
Senate and Constitutional 3 Day Rules suspended by a vote of 30 yeas, 1 nays

MAY 23 2007

Read third time,       , and passed by a (viva voce vote)  
(30 yeas, 1 nays)

May 24, 2007

Returned to the House



SECRETARY OF THE SENATE

## OTHER SENATE ACTION:

MAY 24 2007

Returned from the Senate (as substituted)

(~~Minor amendments~~)

MAY 25 2007

House concurred in Senate amendments by a ~~(non-record vote)~~  
(record vote of 124 yeas, 0 nays, 2 present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee by a (non-record vote) (record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

House conferees appointed: \_\_\_\_\_, Chair; \_\_\_\_\_,

Senate granted House request. Senate conferees appointed: \_\_\_\_\_, Chair;

Conference committee report adopted (rejected) by the House by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

Conference committee report adopted (rejected) by the Senate by a (viva voce vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays)

07 MAY 24 PH 7:23

HOUSE OF REPRESENTATIVES

07 MAR 21 PH 3:39

HOUSE OF REPRESENTATIVES